

## NOTICE OF MEETING

# SPECIAL LICENSING SUB COMMITTEE

**Monday, 6th November, 2023, 7.00 pm - Microsoft Teams (watch the live meeting [here](#) and watch the recording [here](#))**

**Members:** Councillor Anna Abela (Chair), Councillor Makbule Gunes, Councillor Nick da Costa

**Quorum:** 3

### **1. FILMING AT MEETINGS**

Please note this meeting may be filmed or recorded by the Council for live or subsequent broadcast via the Council's internet site or by anyone attending the meeting using any communication method. Members of the public participating in the meeting (e.g. making deputations, asking questions, making oral protests) should be aware that they are likely to be filmed, recorded or reported on. By entering the 'meeting room', you are consenting to being filmed and to the possible use of those images and sound recordings.

The Chair of the meeting has the discretion to terminate or suspend filming or recording, if in his or her opinion continuation of the filming, recording or reporting would disrupt or prejudice the proceedings, infringe the rights of any individual, or may lead to the breach of a legal obligation by the Council.

### **2. APOLOGIES FOR ABSENCE**

To receive any apologies for absence.

### **3. URGENT BUSINESS**

It being a special meeting of the Sub Committee, under Part Four, Section B, Paragraph 17, of the Council's Constitution, no other business shall be considered at the meeting.

### **4. DECLARATIONS OF INTEREST**

A member with a disclosable pecuniary interest or a prejudicial interest in a matter who attends a meeting of the authority at which the matter is considered:

(i) must disclose the interest at the start of the meeting or when the interest becomes apparent, and

(ii) may not participate in any discussion or vote on the matter and must withdraw from the meeting room.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Register of Members' Interests or the subject of a pending notification must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal interests and prejudicial interests are defined at Paragraphs 5-7 and Appendix A of the Members' Code of Conduct.

## **5. SUMMARY OF PROCEDURE**

The Chair will explain the procedure that the Committee will follow for the hearing considered under the Licensing Act 2003.

## **6. APPLICATION FOR A NEW PREMISES LICENCE AT NOYA, 454-460 WEST GREEN ROAD, LONDON, N15 (WEST GREEN) (PAGES 1 - 42)**

To consider an application for a new premises licence.

Nazyer Choudhury, Principal Committee Co-ordinator  
Tel – 020 8489 3321  
Fax – 020 8881 5218  
Email: [nazyer.choudhury@haringey.gov.uk](mailto:nazyer.choudhury@haringey.gov.uk)

Fiona Alderman  
Head of Legal & Governance (Monitoring Officer)  
George Meehan House, 294 High Road, Wood Green, N22 8JZ

Friday, 27 October 2023

**Report for:** Licensing Sub Committee 06<sup>th</sup> November 2023

**Item number:** 6

**Title:** Application for a New Premises Licence – Noya 454 – 460 West Green Road London N15.

**Report authorised by :** Daliah Barrett-Licensing Team Leader – Regulatory Services

**Ward(s) affected:** West Green

**Report for Key/ Non-Key Decision:** Not applicable

1. **Describe the issue under consideration.**

1.1 This report relates to an application for a new premises licence by Yildirim Yaman.

1.2 The application seeks the following:

**Regulated Entertainment: Recorded Music**

Monday to Sunday 0900 to 0000 hours

**Late Night Refreshment**

Monday to Sunday 2300 to 0000 hours

**Supply of Alcohol**

Monday to Sunday 0900 to 0000 hours

Supply of alcohol **ON** and **OFF** the premises.

**Hours open to Public**

Monday to Sunday 0900 to 0030 hours

1.3 The application can be found at - **Appendix A.**

1.4 There is an existing premises licence that was previously subject to a LSC hearing. on 21st August 2023. A copy of the granted licence is attached at **App B.**

1.5 Representations have been received from:

- Responsible Authorities- Noise Team RA and supporting documents – **App C**
- There are representations from residents opposed to the application at **App D.**

1.6 **Recommendation**

In considering the representations received and what is appropriate for the promotion of the licensing objectives, the steps the Sub-Committee can take are:

- Grant the application as requested.
- Grant the application whilst imposing additional conditions and/or altering in any way the proposed operating schedule.
- Exclude any licensable activities to which the application relates.

- Reject the whole or part of the application.

Members of the licensing sub-committee are reminded that they may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must be appropriate in order to promote the licensing objectives.

## 2 Background

- 2.1 The premises is situated along West Green Road and comprises 4 shop units made into 1 large venue that will offer food and drink as well as shisha to the rear of the venue. The website for Noya states – it is a new & unique Japanese cuisine, serving, innovative dishes, drinks and shisha. The applicant states that the area will have a retractable roof installed at the rear from which shisha activity takes place. The premises has operated under a Premises Licence since 25<sup>th</sup> August 2023 but was open to the public prior to this date.
- 2.2 The new application is seeking to increase hours until midnight across the week and a later operating time for the use of the rear/shisha area.

## 3 Licensing Policy

- 3.1 The committee will also wish to be aware of the guidance issued under section 182 of the Licensing Act 2003. Licensing is about regulating the provision of licensable activities on licensed premises, by qualifying clubs and at temporary events within the terms of the Licensing Act 2003. The terms and conditions attached to various permissions are focused on matters which are within the control of individual licensees and others granted relevant permissions. Accordingly, these matters will centre on the premises and places being used for licensable activities and the vicinity of those premises and places.
- 3.2 The objective of the licensing process is to allow for the carrying on of retail sales of alcohol and the prevention of public nuisance, prevention of crime and disorder, public safety and protection of children from harm. It is the Licensing Authority's wish to facilitate well run and managed premises with licence holders displaying sensitivity to the impact of the premises on local residents.
- 3.3 In considering licence applications, where relevant representations are made, this Licensing Authority will consider the adequacy of measures proposed to deal with the potential for public nuisance and/or public disorder having regard to all the circumstances of the case.
- 3.4 Where relevant representations are made, this authority will demand stricter conditions with regard to noise control in areas that have denser residential accommodation, but this will not limit opening hours without regard for the individual merits of any application. This authority will consider each application and work with the parties concerned to ensure that adequate noise control measures are in place. Any action taken to promote the licensing objectives will be appropriate and proportionate.
- 3.5 This Licensing Authority in determining what action to take will seek to establish the cause of concern and any action taken will be directed at these causes. Any action taken to promote the licensing objectives will be appropriate and proportionate.
- 3.6 Also the Licensing Authority may not impose conditions unless its discretion has been exercised following receipt of relevant representations and it is satisfied as a result of

the hearing that it is appropriate to impose conditions to promote one or more of the four licensing objectives. Therefore, conditions may not be imposed for the purpose other than promoting the licensing objectives and in some cases no additional conditions will be required.

- 3.7 In cases Members should make their decisions on the civil burden of proof, that is the balance of probability.
- 3.8 Members should consider in all cases whether or not primary legislation is the appropriate method of regulation and should only consider licence conditions when the circumstances in their view are not already adequately covered elsewhere.
- 3.9 The Government has advised that conditions must be tailored to the individual type, location and characteristics of the premises and events concerned. Conditions cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff.  
The Councils Licensing policy generally expects applicants to address the licensing objectives and discuss how to do this with the relevant responsible authorities.

## 4 Licensing hours

- 4.2 Where relevant representations are made, the Council will consider the proposed hours on their individual merits. Notwithstanding this, the Council may require stricter conditions in areas that have denser residential accommodation to prevent public nuisance. The Council will endeavour to work with all parties concerned in such instances to ensure that adequate conditions are in place. The Council may restrict the hours that certain premises can offer alcohol for sale for consumption off the premises for preventing crime, disorder and nuisance.

## 5 Powers of a Licensing Authority

- 5.1 The decision should be made with regard to the Secretary of the State's guidance and the Council's Statement of Licensing Policy under the Licensing Act 2003. Where the decision departs from either the Guidance or the Policy clear and cogent reasons must be given. Members should be aware that if such a departure is made the risk of appeal / challenge is increased.
- 5.2 The licensing authority's determination of this application is subject to a 21 day appeal period or if the decision is appealed the date of the appeal is determined and /or disposed of.

## 6. Other considerations

**Section 17 of the Crime and Disorder Act 1998** states:

"Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those function on, and the need to do all that it reasonably can to prevent crime and disorder in its area".

### 6.1 Human Rights

While all Convention Rights must be considered, those which are of particular relevance to the application are:

- Article 8 – Right to respect for private and family life.
- Article 1 of the First Protocol – Protection of Property
- Article 6(1) – Right to a fair hearing.

- Article 10 – Freedom of Expression

## **7 Use of Appendices**

**Appendix A - New Application.**

**Appendix B – Copy of current Premises Licence.**

**Appendix C – Noise Team RA.**

**Appendix D – Residents representations.**

**Background papers: Section 82 Guidance**

**Haringey Statement of Licensing policy**

# Appendix A

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\* required information

### Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes  No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

### Applicant Details

\* First name

Noya London Ltd

\* Family name

Noya London Ltd

\* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- Applying as a business or organisation, including as a sole trader  
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

### Applicant Business

Is the applicant's business registered in the UK with Companies House?

Yes  No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

Noya London Ltd

If the applicant's business is registered, use its registered name.

VAT number

-

Put "none" if the applicant is not registered for VAT.

Legal status

Private Limited Company

*Continued from previous page...*

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Agent Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

**Agent Business**

Is your business registered in the UK with Companies House?  Yes  No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

*Continued from previous page...*

Your position in the business

Home country

The country where the headquarters of your business is located.

**Agent Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

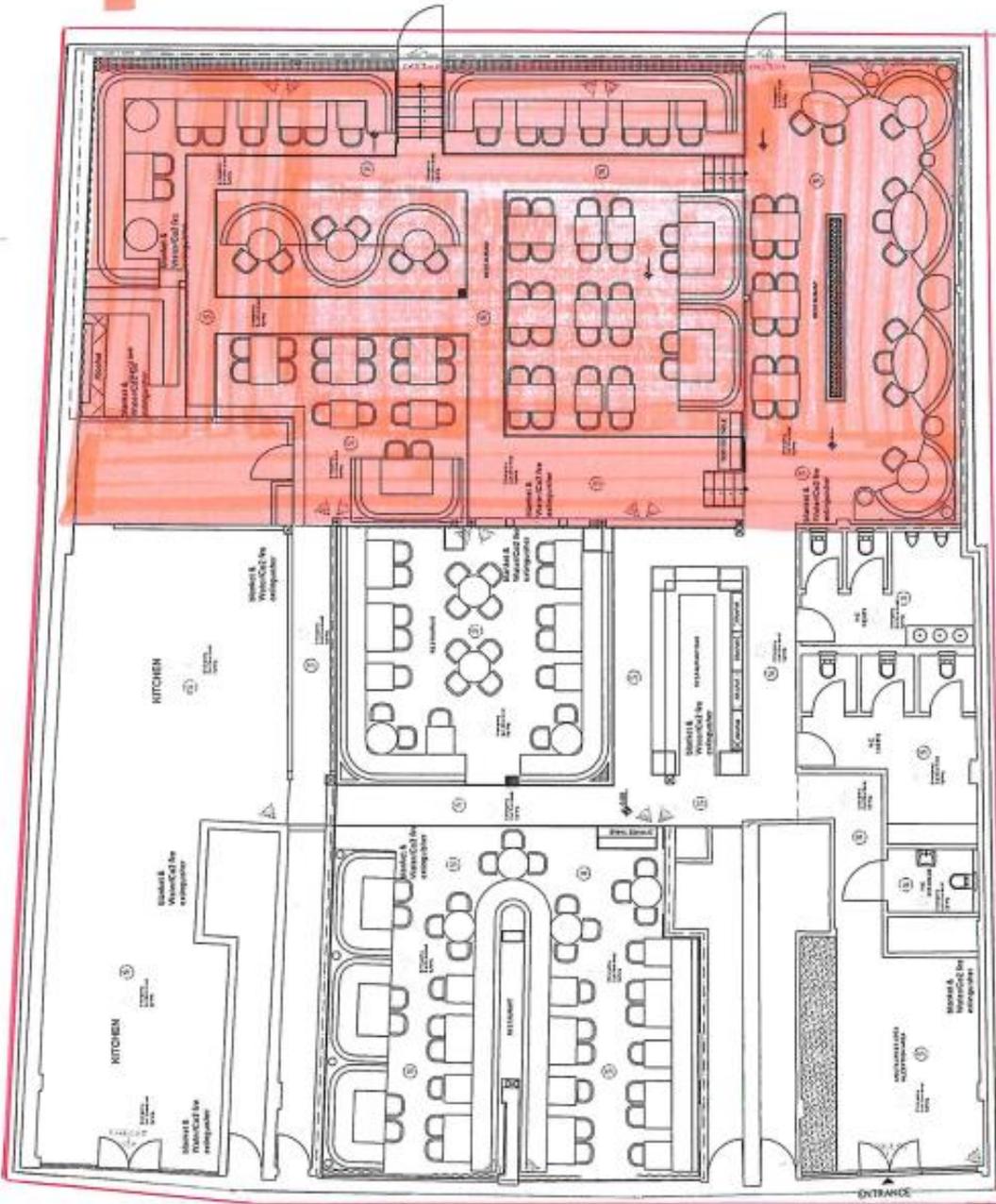
Country

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454-460 West Green Road  
London N15 3PT

FURNITURE FOR ILLUSTRATION PURPOSES

SHAWMUT ARCHIT



# Premises License Plan

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# Appendix B

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**PREMISES LICENCE**

Receipt: SMYAC00245676

Premises Licence Number: LN/000026986

*This Premises Licence has been issued by:*

**The Licensing Authority, London Borough of Haringey,  
Level 4 Alexandra House, 10 Station Road,  
Wood Green, London N22 7TR**

Signature: .....

Date: 21<sup>st</sup> August 2023

**Part 1 – PREMISES DETAILS**

**Postal Address of Premises or, if none, Ordnance Survey map reference or description:**

**NOYA LONDON LTD  
454-460 WEST GREEN ROAD  
TOTTENHAM  
LONDON  
N15 3PT**

Telephone:

**Where the Licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the Licence:**

**Regulated Entertainment:** Recorded Music

**Supply of Alcohol**

**The times the Licence authorises the carrying out of licensable activities:**

**Recorded Music**

**Monday to Friday                      0900 to 2300**

**Saturday                                    0900 to 2330**

**Sunday                                        0900 to 2200**

**Supply of Alcohol**

**Monday to Friday                      0900 to 2300**

**Saturday                                    0900 to 2330**

**Sunday                                        0900 to 2200**

**The opening hours of the premises:**

**Monday to Friday                      0900 to 2300**

**Saturday                                    0900 to 2330**

**Sunday                                        0900 to 2200**

**The rear external area in use until 2300 hours. The roof to be closed at 2200hrs and shisha activity stopped.**

Where the Licence authorises supplies of alcohol whether these are on and/or off supplies:  
Supply of alcohol for consumption **ON** the premises.

**Part 2**

**Name, (registered) address, telephone number and e-mail (where relevant) of holder of Premises Licence:**

Yildirim Gunac Yaman

**Registered number of holder, for example company number, charity number (where applicable):**

Not applicable

**Name, address and telephone number of designated premises supervisor where the Premises Licence authorises the supply of alcohol:**

Yildirim Gunac Yaman

**Personal Licence number and issuing authority of personal licence held by designated premises supervisor where the Premises Licence authorises for the supply of alcohol:**

Personal Licence: LN/201600886

Issued by: London Borough of Enfield

## **Annex 1 –Mandatory Conditions**

### **Supply of alcohol.**

1. No supply of alcohol may be made under the premises licence;

(a) at a time when there is no designated premises supervisor in respect of the premises licence, or

(b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

5. (1) The premises licence holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

(a) a holographic mark, or

(b) an ultraviolet feature.

6. The responsible person must ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

## **Annex 1 –Mandatory Conditions**

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

### **7. Prohibition on Sale of Alcohol below Cost of Duty plus VAT.**

(1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

(2) For the purposes of the condition set out in paragraph (1) —

(a) —duty<sup>ll</sup> is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(6);

(b) —permitted price<sup>ll</sup> is the price found by applying the formula —

$$P = D + (D \times V)$$

Where —

(i) P is the permitted price,

(ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol

(c) —relevant person<sup>ll</sup> means, in relation to premises in respect of which there is in force a premises licence —

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence,

or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) —relevant person<sup>ll</sup> means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) —value added tax<sup>ll</sup> means value added tax charged in accordance with the Value Added Tax Act 1994

(3) Where the permitted price given by Paragraph (b) of paragraph (2) would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

(4) (a) Sub-paragraph (b) below applies where the permitted price given by Paragraph (b) of paragraph (2) on a day (—the first day<sup>ll</sup>) would be different from the permitted price on the next day (—the second day<sup>ll</sup>) as a result of a change to the rate of duty or value added tax.

(b) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

### **Exhibition of films.**

1. Admission of children to the exhibition of any film is to be restricted in accordance with the recommendations made by the specified film classification body.

2. Where —

(a) the film classification body is not specified in the licence, or

(b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,

admission of children must be restricted in accordance with any recommendation made by that licensing authority.

**Annex 1 –Mandatory Conditions**

3. In this section –

—childrenll means persons aged under 18; and —film classification bodyll means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

**Door supervision.**

1. Any person(s) required to be on the premises to carry out a security activity must be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001 or be entitled to carry out that activity by virtue of Section 4 of that Act.

## **Annex 2 – Conditions consistent with the Operating Schedule**

### **THE PREVENTION OF CRIME AND DISORDER**

A digital CCTV system to be installed in the premises.

Cameras must;

- be sited to observe the entrance doors from both inside and outside.
- capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification.
- be sited to cover all areas to which the public have access including any outside smoking areas.
- provide a linked record of the date, time of any image.
- provide good quality images - colour during opening times.
- have a monitor to review images and recorded quality.
- be regularly maintained to ensure continuous quality of image capture and retention.

Member of staff trained in operating CCTV at venue during times open to the public. Digital images must be kept for 31 days. The equipment must have a suitable export method, e.g. CD/DVD writer so that Police can make an evidential copy of the data they require. Copies must be available within 7 days time to Police on request.

There shall be no vertical drinking or drinking ancillary to a table meal.

An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police, which will record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received
- (d) any incidents of disorder
- (e) any faults in the CCTV system
- (f) any visit by a relevant authority or emergency service.

The rear external area is used until 2300, but that the roof is closed at 2200 hours after which no Shisha is offered. Signs are displayed throughout the area advising that Shisha concludes at 2200 hours. The proposed shisha area will close to all parties no later than 22:00hrs each day, to ensure residents are not impacted by public nuisance from this area. For reference the proposed shisha area is highlighted in orange on the attached plan

Any person(s) required to be on the premises to carry out a security activity must be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001 or be entitled to carry out that activity by virtue of Section 4 of that Act.

### **PUBLIC SAFETY**

A direct telephone number for the manager at the premises shall be publicly available at all times the premises are open. This telephone number shall be made available to residents and businesses in the vicinity.

### **THE PREVENTION OF PUBLIC NUISANCE**

11. The proposed shisha area will close to all parties no later than 22:00hrs each day, to ensure residents are not impacted by public nuisance from this area. For reference the proposed shisha area is highlighted in orange on the attached plan.

## **Annex 2 – Conditions consistent with the Operating Schedule**

No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises, nor vibration be transmitted through the structure of the premises which gives rise to nuisance.

No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.

Noise and/or Odour from any flue used for the dispersal of cooking smells serving the building shall not cause a nuisance to the occupants of any properties in the vicinity. Any filters, ducting and extract fan shall be cleaned and serviced regularly.

The management shall make subjective assessments of noise levels outside at the perimeter of the premises approximately hourly, whilst regulated entertainment is provided to ensure that noise from the premises does not cause a disturbance to local residents/businesses. Records shall be kept of the times, dates and any issues discovered. These records shall be kept for six months. Records must be made available to an authorised officer of the Council or police, upon request. Where monitoring by staff identifies that noise from the premises is audible at the perimeter, measures shall be taken to reduce this i.e. turning volume down.

In the event of a noise/nuisance complaint substantiated by an authorised officer, the licensee shall take appropriate measures in order to prevent any recurrence.

Prominent, clear and legible notices must be displayed at all exits (including the rear seating area) requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

The premises licence holder shall ensure that the area immediately outside the premises is kept clean and free from smoking related litter at all material times to the satisfaction of the Licensing Authority.

Any music played at the premises will be background only.

A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Noise and Nuisance team, so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Noise and Nuisance Team and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Noise and Nuisance Team. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.

All refuse and bottles shall be disposed of in bins quietly so as not to disturb local residents. There shall be no disposal of glass bottles outside between 21:00 hours and 07:00 hours

All exit doors shall be available for use at all times when the premises is open to the public without the use of a key, code, card or similar. Exit doors shall be regularly checked to ensure they function satisfactorily. Safety checks shall be carried out before the admission of the public, and these should be recorded in a log book available on request to an authorised officer of the Council.

### **THE PROTECTION OF CHILDREN**

All staff involved in the sale of alcohol shall receive induction and refresher training (at least every three months) relating to the sale of alcohol and the times and conditions of the premises licence.

**Annex 2 – Conditions consistent with the Operating Schedule**

All staff shall receive induction and refresher training in relation to crime prevention. All training relating to the sale of alcohol and the times and conditions of the premises licence shall be documented and records kept at the premises. These records shall be made available to the Police and/or Local Authority upon request and shall be kept for at least one year.

A 'Think 25' proof of age scheme shall be operated and relevant material shall be displayed prominently within the Premises – including in a visible location: (a) At the entrance to the Premises; (b) Behind the bar; (c) In any other area where alcohol can be purchased by a customer.

A written record of refused sales shall be kept on the premises and completed when necessary. This record shall be made available to Police and/or the Local Authority upon request and shall be kept for at least one year from the date of the last entry.

Persons under the age of 18 shall only be admitted to the premises if they are accompanied and supervised by an adult whilst on the premises

**Annex 3 – Conditions attached after a hearing by the licensing authority**

**RESOLVED: 21<sup>st</sup> August 2023**

The Committee decided to GRANT the application for a new premises licence Subject to conditions proposed as part of the operating schedule.

**Reasons**

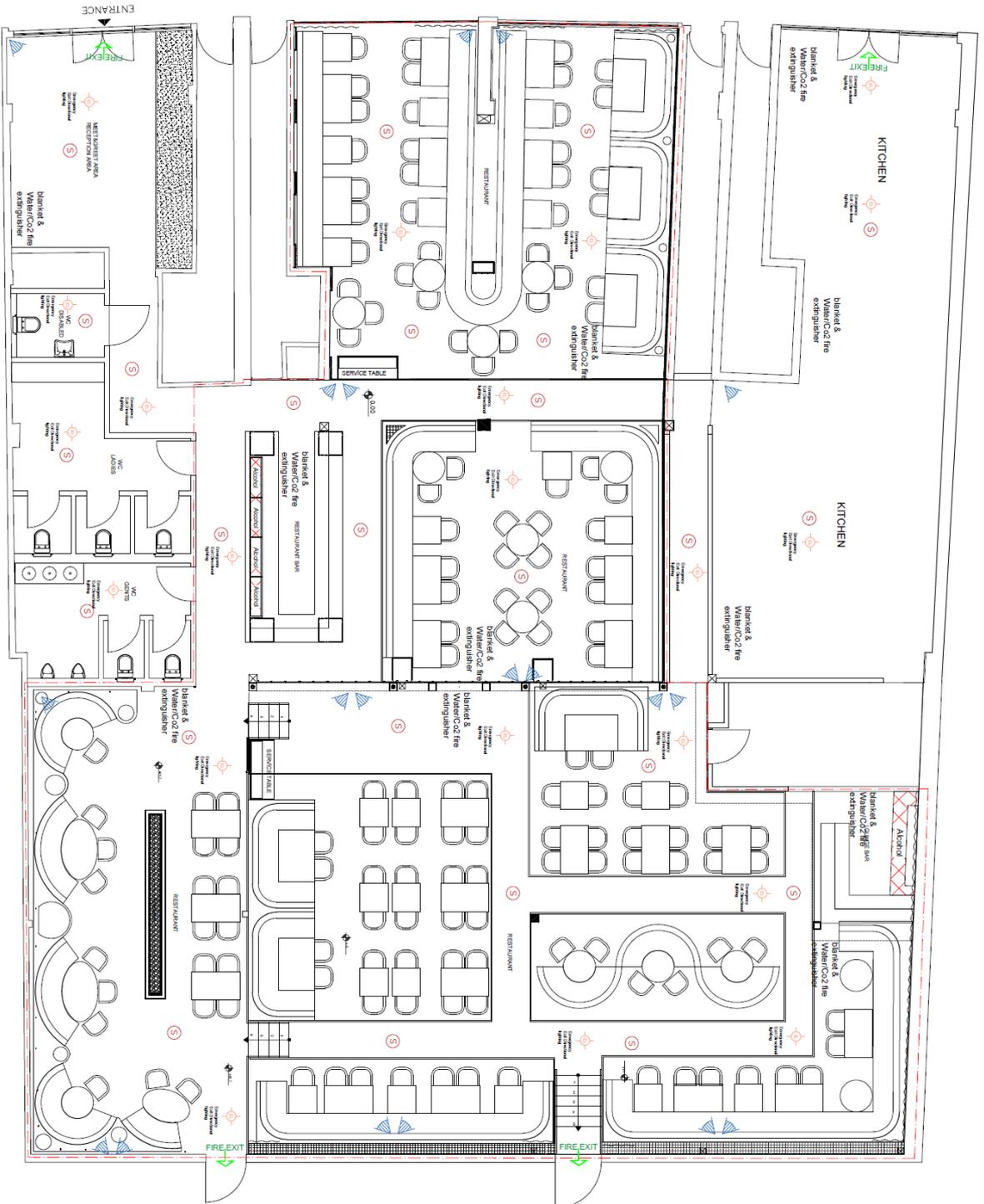
The Committee gave serious consideration to the submissions by the applicant and to the concerns raised by the objector. It was noted that early objections which had been raised by the Police and Local Authority Noise Team were withdrawn after the Applicant had engaged with them and agreed the suggested conditions. Thereafter there was one objection from a member of the public who did not attend the hearings but submitted written representations, which the Committee took appropriate and proportionate account of, taking note of the points made by the Applicant's representatives regarding any weight to be attached to an Objector who does not attend the hearing.

The Committee put the concerns raised by the Objector regarding a party which had taken place without license causing noise from patrons and alleged smells emanating from cooking. The Applicant was able to provide answers which the Committee accepted as being reasonable. The Applicant stated that once the warning was given about the party, the noise was immediately turned down. There have been no further complaints or statutory abatement notices. It was noted that the Applicant stated that a noise limiter would be installed. With regards to the smell it was noted there was no current evidence of such smells and in any event the extractor fans installed are of the highest specs and no concerns were raised by the noise team.

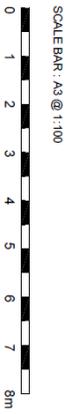
It was finally noted that the hours requested are minimal hours which allow the Applicant to demonstrate their ability to comply with the License conditions.

Annex 4 – Plans

454-460 West Green Road  
London N15 3PT



Premises License Plan



# Appendix C

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**From:** April Smart <[April.Smart@haringey.gov.uk](mailto:April.Smart@haringey.gov.uk)>  
**Sent:** Thursday, September 21, 2023 3:50 PM  
**To:** Licensing <[Licensing.Licensing@haringey.gov.uk](mailto:Licensing.Licensing@haringey.gov.uk)>; **Cc:** Daliah Barrett <[Daliah.Barrett@haringey.gov.uk](mailto:Daliah.Barrett@haringey.gov.uk)>; Noshaba Shah <[Noshaba.Shah@haringey.gov.uk](mailto:Noshaba.Shah@haringey.gov.uk)>  
**Subject:** RE: Application for a Premises Licence- Noya London Ltd, 454-460 West Green Road, Tottenham, London N15 3PT (WK/578366)

Good afternoon,

The noise and nuisance team have looked at the Planning Application for the premises in which a condition has been applied regarding the operating hours of the premises. Condition 3 states as below:

3. The use hereby permitted shall not be operated before 09:00 hours or after 23:00 hours Monday to Friday, before 9:00 or after 23:30 Saturday, before 09:30 hours or after 22:00 hours Sundays and Bank Holidays. Reason: This permission is given to facilitate the beneficial use of the premises whilst ensuring that the amenities of adjacent residential properties are not diminished consistent with Policy DM1 of The Development Management DPD 2017

Taking into consideration the noise and nuisance team make the following representation in relation to the licence application submitted.

The hours that the applicant have requested conflict the condition on the Planning Application and therefore submit a representation that the Licensing Objective for Public Nuisance cannot be upheld.

Kind regards

**April Smart**  
**Noise and Nuisance Officer**



Haringey London  
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 Please consider the environment before printing this email.

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**From:** Jennifer Barrett <[Jennifer.Barrett@Haringey.gov.uk](mailto:Jennifer.Barrett@Haringey.gov.uk)>  
**Sent:** Friday, September 29, 2023 12:00 AM  
**To:** Licensing <[Licensing.Licensing@haringey.gov.uk](mailto:Licensing.Licensing@haringey.gov.uk)>  
**Subject:** Noya Rep: Noise

## *Memorandum: Licensing Act 2003*

<b>Date: 28<sup>th</sup> September 2023</b>	<b>Ref:</b> <b>WK/000578366</b>
<b>From: Jennifer Barrett, Noise and Nuisance Team</b>	<b>To: The Licensing Team</b>
<b>Case reference: WK/578366</b>	
<b>Application: PREMISES LICENCE – NOYA LONDON LIMITED, 454 - 460 WEST GREEN ROAD, LONDON N15 3PT</b>	

APPLICATION FOR A PREMISES LICENCE: NOYA LONDON LTD, 454-460 WEST GREEN ROAD

The applicant has applied for a Premises Licence for Noya London Ltd and specifically an extension of the hours currently detailed on their existing licence (ref: LN/000026986), issued on 21<sup>st</sup> August 2023.

The Licence Holder is Mr Yildrim Yaman.

<b>Current Licence</b>	<b>Hours requested in the application</b>
<p><b>Regulated Entertainment: Recorded Music</b>  Monday to Friday 0900 to 2300 hours  Saturday 0900 to 2330 hours  Sunday 0900 to 2200 hours</p> <p><b>Late Night Refreshment</b>  Monday to Sunday 2300 to 0000 hours</p> <p><b>Supply of Alcohol</b>  Monday to Friday 0900 to 2300 hours  Saturday 0900 to 2330 hours  Sunday 0900 to 2200 hours</p> <p>On premises only.</p> <p><b>Hours open to Public</b>  Monday to Friday 0900 to 2300 hours  Saturday 0900 to 2330 hours  Sunday 0900 to 2200 hours</p>	<p><b>Regulated Entertainment: Recorded Music</b>  Monday to Sunday 0900 to 0000 hours</p> <p><b>Late Night Refreshment</b>  Monday to Sunday 2300 to 0000 hours</p> <p><b>Supply of Alcohol</b>  Monday to Sunday 0900 to 0000 hours</p> <p>On and Off premises</p> <p><b>Hours open to Public</b>  Monday to Sunday 0900 to 0030 hours</p>

The applicant has requested the facility for the provision of recorded music (as the principal entertainment provided or in conjunction with dancing or any other permitted activity) and seeks to be able to provide facilities for late night refreshment as may be required from time to time to complement other activities provided. The applicant has also included amended conditions relating to the use of the rear external area, and

1. requesting an extension of the hours this is used until midnight,
2. requiring the roof to be closed at 2200hours and no shisha offered after this time,
3. and restricting the music played in this area to background levels only. Noise in the area to be controlled by a sound limiting device.

Taking the above into consideration the Noise and Nuisance Team, as Responsible Authority under the Licensing Act 2003 (and with reference to the Licensing objective for the Prevention of Public Nuisance) make the following representation.

The applicant applied for a variation of condition 3 of their planning permission granted to increase their opening hours to 9:00 am - 12:00 am Sunday to Thursday and 9:00 am - 1:00 am Friday to Saturday. The application (ref: HGY/2023/1409) was refused. The extended hours sought in this application are likely to undermine this decision if granted.

Section 14.65 of the Revised Guidance issued under section 182 of the licensing Act 2033 states” There are circumstances when, as a condition of planning permission, a terminal hour has been set for the use of premises for commercial purposes. Where these hours are different to the licensing hours, the applicant must observe the earlier closing time. Premises operating in breach of their planning permission would be liable to prosecution under planning law. Proper integration should be assured by licensing committees, where appropriate, providing regular reports to the planning committee”.

**We are recommending refusal of the application for the following reasons:**

The hours being sought are likely to increase the potential for public nuisance (extending the current hours by up to 2 additional hours within 1 month of the provision of the first premises licence). The proximity to residential property is a concern we raised in our initial representation for their first licence. We compromised by securing an agreement about restricted hours for the use of the external area.

Since they have started operating the council has received the following complaints:

Date and Time	Issue	Council action
19/8/23 at 00:24hours	Complaint of loud music from premises.	Council contacted reporter but unable to arrange visit to assess. No action possible.
08/09/23 at 21:57hours	Anonymous report of loud music from Noya.	Council unable to contact reporter.
9/9/23 at 22:40hours	Anonymous report of loud music from Noya.	Visit made at 23:12, observed patrons leaving

		premises but no music was audible at street level.
21/9/23 at 01:29	Anonymous report of loud music from Noya. States occurs daily.	Unable to visit to assess noise before shift ended.
23/09/23 at 00:15hours	<p>I visited NOYA proactively. No music could be heard from street level and officer observed patrons leaving. The shutters were still open and inside staff were preparing to leave. In the lounge area at the rear about 8-10 people at three different tables were still seated, smoking the shisha with the retractable roof completely closed.</p> <p>A member of staff was approached and told that, at half past midnight, the premises was open beyond the permitted. They were advised this was a breach of their licence condition. Mr Yildrim Yaman (the manager/ DPS) approached and was advised of the same, the risk to their application of non-compliance what they must do to prevent further enforcement action.</p>	
24/09/23 at 00:10hours	<p>The council revisited Noya to check compliance. At 00:10 hrs arrived and noted some customers leaving. Inside the lounge area was almost a capacity with many patrons using shisha at their tables. The retractable roof was closed and the air in the premises smoke-filled. The manager/ DPS Mr Yildrim Yaman came warnings issued about these additional breaches of the Licensing Act 2003 and the Smoking Regulations. Mr Yildrim Yaman countered this by querying the licensing condition and was referred back to the specific conditions in the licence regarding the use and closure of the shisha area.</p> <p>Further enforcement action is now pending following those breaches.</p>	
26/09/23 at 20:46hours	Complaint of loud amplified music from Noya made. Says logged complaint on 22/9/23. Provided 30 second video recording of noise.	Report made outside council service hours so no visit possible. Recording too short in duration to verify source. No action possible.
26/09/23 at 20:46hours	Complaint of loud amplified music from Noya made. States occurs several times a week	Report made outside council service hours so no action possible. Complaint logged.
27/9/23 at 07:32hours	Complaint of loud amplified music logged by council	Report made outside council service hours so no action possible. Complaint logged.

Although we have not substantiated the complaints made by residents to date we have raised concerns about non-compliance practices we observed on the 23<sup>rd</sup> and 24<sup>th</sup> September 2023 and this does not instil in us confidence that the applicant will comply with conditions set and / or any noise controls imposed should permission for extended hours be granted.

A Resident told us : *“The primary issue I wish to address is the excessive noise generated by Noya, particularly during weekends. The loud music emanating from the establishment has become a persistent disturbance for the residents in the surrounding area, depriving us of our right to enjoy peace and quiet in our homes. The amplified music, often played at high volumes and unreasonable bass levels, disrupts our sleep and overall well-being”.*

The current licence has only been granted for the last 5 weeks so we have not have the opportunity to substantiate complaints or monitor the operators compliance.

We note here the Planning Application for the premises in which a condition has been applied to restrict the operating hours of the premises. 09:00 hours or after 23:00 hours Monday to Friday, before 9:00 or after 23:30 Saturday, before 09:30 hours or after 22:00 hours Sundays and Bank Holidays. To safeguard the amenity of local residents.

As a result of the above I recommend the application is refused on the grounds we have concerns about their ability to maintain and uphold the licencing objection for the prevention for public nuisance.

Jennifer Barrett  
Noise & Nuisance Manager

# Appendix D

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**From:** [REDACTED] >  
**Sent:** Friday, September 22, 2023 11:09 PM  
**To:** Licensing <licensing@haringey.gov.uk>  
**Cc:** [REDACTED]  
**Subject:** Licensing Rejection Request for Noya, West Green Road

Dear Sir/Madam,

RE: Objection to Licensing Application for Noya, West Green Road

On behalf of all residents at [REDACTED] West Green Road, I am writing to express my deep concern and strong objection to the licensing application submitted by Noya. While I appreciate the contributions of local businesses to our community, I believe granting a license to Noya in its current state would be detrimental to the quality of life for the residents in our neighborhood.

The primary issue I wish to address is the excessive noise generated by Noya, particularly during weekends. The loud music emanating from the establishment has become a persistent disturbance for the residents in the surrounding area, depriving us of our right to enjoy peace and quiet in our homes. The amplified music, often played at high volumes and unreasonable bass levels, disrupts our sleep and overall well-being.

The constant operation of an unacceptably loud kitchen fan exacerbates this problem, adding to the already unbearable noise pollution. The effect of these disturbances has resulted in a significant decrease in the quality of life for those living nearby. My neighbour upstairs suffers from strong food odours being pumped into her flat, which unfortunately is causing her to move out of the property. At the minimum the owner has shown a complete disregard for our surroundings by placing the industrial sized fans on our building without consulting us or our landlord. After we complained about the noise, he then proceeded to move the fan to a different spot on the window which is now likely causing an even bigger disturbance for the residents on that side of the building and is blocking out all of their natural light (and is still very noisy for us so I can't imagine what it's like for them).

We request that the council consider the impact of Noya's noise levels on the local community when reviewing their licensing application. I don't believe that Noya is benefitting the local community in this way since the owner has shown a complete disregard for their surroundings. We strongly believe that their licensing application should be rejected for these reasons. At a minimum, there should be stricter controls imposed so that Noya's noise levels are kept within acceptable limits.

I hope that you can help us to make the right decision here and to give us support for us all to enjoy our homes again!

All the best,

[REDACTED]

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**From:** Robyn  
**Sent:** Friday, September 29, 2023 12:00 AM  
**To:** Licensing <[Licensing.Licensing@haringey.gov.uk](mailto:Licensing.Licensing@haringey.gov.uk)>  
**Subject:** Noya application to extend

Good day,

With the regards to the new application to extend business hours, music and alcohol selling, we object.

I have already lodged a complaint about the noise. It might be counted as “regulated” but we have slept away from home most weekends since the last license was approved. We can’t open hour windows without hearing the music like it is in our home.

We are now forced to look at moving.

“ We are planning to give our notice to the landlord as this is not something that will get sorted soon and it is impacting our lives too much. Especially since the landlord is increasing our rent by £200/month, despite our complaints and him assessing the issues himself and getting complaints from the other flats in the building as well. Talk about being a good tenant and keeping his asset in good order. Nothing of that matters when it comes to money. So I am sorry but we decided that we don't have time to deal with this issue nor more money to pay for something that is causing us distress. Therefore, we are moving out. I've noticed they've moved the extractor which did help with the noise but the smells are still there, which restricts us from opening the window. This is not something we would want to live with long term. Best of luck with this situation, I sincerely hope it gets sorted for your wellbeing.”

We are not the only ones. The neighbours above Noya have been forced to move.

This is not ok.

Best wishes  
Robyn

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**From:** [REDACTED]  
**Sent:** Wednesday, September 27, 2023 3:19 PM  
**To:** Licensing <Licensing.Licensing@haringey.gov.uk>  
**Subject:** Noya Ltd west green road

To whom it may concern.

My attention has been drawn to the application for a licence to provide recorded music from 9p.m-midnight at the Noya restaurant on West Green road.

Some months ago a private party was held on the premises (for workers of the company?). On this occasion, the noise level was such that it was impossible to sleep in my upper bedroom at 15 Waldeck road. My concern is that there may not be adequate sound proofing of the venue, or that windows may be opened to provide ventilation, leading to excessive noise pollution and public nuisance to residents.

Has there been any study conducted as to the likely decibel level generated by the recorded music planned at the venue? If not, why not?

I note that there is no parking available on site, and that parking in the streets adjacent may lead once again to anti-social noise in the early hours of the morning, including slamming of car doors. I doubt whether much weight will be given to my concerns, as I am already aware that the resources available to planning and enforcement fall far short of the demands placed upon them.

None the less, I have placed my concerns on the record , and may yet be pleasantly surprised to discover that they have been acknowledged ,acted upon, and the situation at least monitored.

Best wishes,

[REDACTED]

Sent from [Mail](#) for Windows

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13<sup>th</sup> September 2023

Licencing Team  
London Borough of Haringey  
Level 1  
River Park House  
225 High Road  
Wood Green  
N22 8HQ

Dear Sir/Madam,

**Representation with respect to NOYA, 454-466 West Green Road, N15 3PT**

Prevention of crime and disorder

We live about 30 metres from the above premises and believe that allowing the licence to sell alcohol after 10pm is a recipe for social nuisance and must not be allowed. More crucially, music beyond 10 pm must be avoided as people retire to sleep. Further, closing time beyond midnight will cause tipsy clients to linger around noisily in the area causing sleepless nights. We **STRONGLY** oppose the granting of licence to sell alcohol and the playing of music after 10pm. The Team should review the very serious nuisance problem we suffered when the pub across the road from the current premises had similar opening hours around eight years ago. The matter went to court.

Public safety

Indeed, with the sale of alcohol, there is a very serious danger of adversely affecting public safety. School children use the pavements to walk to and from school.

Public Nuisance

It is almost a guarantee that selling alcohol and playing music will be a nuisance to the public with drunkards loitering around the pub/restaurant and in the small park across the road.

Protection of children from harm

Not granting a licence to sell alcohol will protect children and the local community from harm.

Yours faithfully

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